

B2 3. (Amended) Apparatus as defined by claim 1 wherein said means attaching said transducer to said [rod] stylet includes an ultrasound damping material.

Please amend claim 6 as follows:

6. (Amended) The ^{[trocar] stylet} ~~stylet~~ as defined by claim 4 wherein said means attaching said transducer [into] to said rod includes an ultrasound damping material.

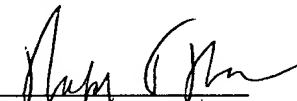
1/2
SEP 2001
53) B3

REMARKS

The patentees respectfully request reconsideration by the Examiner with respect to the initial examination of this application since the claims clearly define patentable subject matter. Each of the claims require that the transducer transmit and receive ultrasonic waves through the sharpened end of a needle. The Northeved reference states that the piezoelectric element at the end of the stylet receives ultrasonic energy while the piezoelectric element in the housing 10 emits ultrasonic energy. Neither the Northeved nor Omizo references teach or make obvious the claimed construction of a stylet being positioned within the inner lumen of a needle and being spaced from the interior of the needle to facilitate backflow of blood when a blood vessel is penetrated with the stylet including an ultrasound transducer supported at its distal end for both transmitting and receiving ultrasonic waves through the sharpened end of the needle. Further, the cited references fail to teach or make obvious a conductor extending through the stylet and connected with a back surface of the transducer and another conductor on the surface of the stylet connected with a front surface of the transducer. Thus, the cited references fail to teach or make obvious the claimed combination of elements or their functional relationship.

The Examiner's rejection based upon an insufficient reissue declaration is not understood since the declaration does point out how the alleged errors arose or occurred as required by 37 C.F.R. 1.175. If the Examiner intends to maintain this rejection, the patentees respectfully request an opportunity to discuss the bases for any such rejection in further detail so that an appropriately revised declaration may be submitted to obviate the Examiner's objections. It is believed, however, that the declaration is proper and that the claims define patentable subject matter, and reconsideration and an allowance thereof are respectfully requested.

Respectfully submitted,


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CERTIFICATE OF MAILING

I hereby certify that the enclosed Amendment is being deposited with the United States Postal Service as "Post Office to Addressee" Express Mail, Receipt No. IB222043844, postage prepaid, in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this 28th day of April, 1993.

